

CRS Report for Congress

Received through the CRS Web

House Select Committee on Intelligence: Leadership and Assignment Limitations

Judy Schneider
Specialist on the Congress
Government and Finance Division

Summary

Both House rules and respective party rules address committee assignments and leadership selection. Several of those rules apply specifically to select committees, and in some cases, are unique to the Permanent Select Committee on Intelligence. This report identifies House rules, Republican Conference rules, and Democratic Caucus rules that affect the makeup of the Permanent Select Committee on Intelligence. It will be updated if events warrant.

House Rules

House Rule X, clause 11 addresses the creation, membership, and jurisdiction of the Permanent Select Committee on Intelligence.

- Clause 11(a)(1) establishes the select committee and states that the panel should have no more than 18 members, of whom no more than 10 may be from the same party. Further, the Committees on Appropriations, Armed Services, International Relations, and the Judiciary should each have at least one Member serving on the select committee.¹

¹ The size of the select committee has changed several times since the panel's creation. The current size was set in 2001, when the House agreed to H.Res. 5, the rules changes for the 107th Congress. H.Res. 5 for the 109th Congress maintained the size at 18. On Jan. 26, 2005, by unanimous consent, the House agreed to change the size to 19. That same day, the House agreed to H.Res. 51, changing the size of the select committee to 21. On Feb. 1, 2005, the House agreed to H.Res. 42, which, among other things, changed the size of the select committee to 19. The engrossed version of H.Res. 42 did not contain section 2, changing the size of the select committee. The select committee currently has 21 members.

Report Documentation Page				Form Approved OMB No. 0704-0188	
Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.					
1. REPORT DATE 25 APR 2005		2. REPORT TYPE N/A		3. DATES COVERED -	
4. TITLE AND SUBTITLE House Select Committee on Intelligence: Leadership and Assignment Limitations				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S)				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Congressional Research Service The Library of Congress 101 Independence Ave. SE Washington, DC 20540				8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)				10. SPONSOR/MONITOR'S ACRONYM(S)	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S)	
12. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release, distribution unlimited					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT SAR	18. NUMBER OF PAGES 3	19a. NAME OF RESPONSIBLE PERSON
a. REPORT unclassified	b. ABSTRACT unclassified	c. THIS PAGE unclassified			

- Clause 11(a)(2) provides that the Speaker and minority leader serve as *ex officio* members without a vote, and that they cannot be counted to determine a quorum.
- Clause 11(a)(3) allows the Speaker and minority leader to designate a leadership staffer to assist with committee business, and that leadership staffer is accorded the same access as select committee staff.
- Clause 11(a)(4)(A) limits a committee member (not including the Speaker or minority leader) to service on the select committee to no more than four Congresses in a period of six successive Congresses. Service during part of a session does not count.
- Clause 11(a)(4)(B) states that the chair or ranking minority member of the select committee does not have term limitations.² (House Rule X, clause 5(c)(2) limits chairs of standing committees (except the Committee on Rules) to serving as chair of a standing committee, or of a subcommittee of a standing committee, to three consecutive Congresses.)
- Clause 11(b) addresses the jurisdiction of the select committee, and the remaining clauses address committee procedure.

Party Rules

Both Republican Conference and Democratic Caucus rules address assignment issues related to the Permanent Select Intelligence Committee, although in varying degree and specificity.

Republican Conference Rules

Republican conference rule 13 notes that the Speaker names all Republican members of select committees.

Conference rule 14 states that members are limited to three consecutive terms as chair or ranking member of standing, select, joint, or ad hoc committees or subcommittees, beginning with the 104th Congress. (There is no mention of either waiver provisions or House rules.)

Democratic Caucus Rules

Democratic Caucus rule 18 classifies House committees as either exclusive or non-exclusive. The Permanent Select Committee on Intelligence is not listed in either category.

Caucus rule 19 E states that Democratic members of the Intelligence panel may serve on more than one standing committee while on the Intelligence Committee. They are entitled to take a leave of absence from any of their committees, with seniority retained, while serving on the Intelligence Committee.

² The three-term tenure of the chair of the select committee was removed in 2003, when the House agreed to H.Res. 5, its rules changes for the 108th Congress.

Caucus rule 20 provides that in making assignments to select committees, the Democratic leader should give consideration to sharing the “workload and responsibility among qualified Members of the House who have indicated an interest in the subject matter ... and have expressed a willingness to actively participate in its deliberations and operations.” Caucus rule 20 further provides that at the end of each Congress, all Democratic slots on select committees are deemed to be vacant until the Democratic leader appoints or reappoints Members.

Caucus rule 25 E prohibits a chair/ranking member of a select committee with legislative jurisdiction from chairing/ranking on a subcommittee on that committee or on any other committee (exemptions are provided in the rule).